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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/654,103	08/31/2000	Sunay Tripathi	SUN1P707	5614
22434	7590	02/09/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			GOLD, AVI M	
P.O. BOX 70250			ART UNIT	PAPER NUMBER
OAKLAND, CA 94612-0250			2157	

DATE MAILED: 02/09/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<p align="center">Office Action Summary</p>	<p>Application No.</p> <p>09/654,103</p>	<p>Applicant(s)</p> <p>TRIPATHI ET AL.</p>	
	<p>Examiner</p> <p>Avi Gold</p>	<p>Art Unit</p> <p>2157</p>	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 October 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 3,5,8,9,11,12,23-27,29 and 32 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)</p> <p>2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</p> <p>3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date _____.</p> | <p>4) <input type="checkbox"/> Interview Summary (PTO-413)
 Paper No(s)/Mail Date. _____.</p> <p>5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)</p> <p>6) <input type="checkbox"/> Other: _____.</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

DETAILED ACTION

1. The amendment received on October 29, 2004 has been entered and fully considered.

Response to Amendment

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 2, 4, 6, 7, 10, 13, 15, 18-26, and 28-33 are rejected under 35 U.S.C. 102(e) as being anticipated by Gupta et al., U.S. Patent No. 6,374,305.

Gupta teaches the invention as claimed including a mobile-based client-server system (see abstract).

Regarding claims 1 and 28, Gupta teaches in a web server, a method of sending a HTTP request to a HTTP daemon and a computer-readable medium storing thereon computer-readable instructions for sending a plurality or HTTP requests to a HTTP daemon in a web server, comprising:

receiving a HTTP request including HTTP request data from a HTTP client;

associating a connection identifier with the HTTP request;

repeating the receiving and associating steps for HTTP requests from a plurality of other HTTP clients (col. 2, lines 39-49, Gupta discloses a web agent that transmits and receives packed HTTP messages to a web server; col. 5, lines 43-67, col. 6, lines 1-26, Gupta discloses HTTP messages identified based on type, quantity, and/or size of the information to be transmitted; col. 6, lines 52-62, col. 7, line 66 – col. 8, line 10, Gupta discloses multiple requests from client stations and communications between the server and client stations); and

sending the connection identifier and the associated HTTP request data for the HTTP requests from the HTTP clients in a first stream from a network cache accelerator of the web server to a file system of the web server, the network cache accelerator being adapted for communicating with the HTTP clients; and

storing the HTTP requests with the associated connection identifiers by the file system, the file system being adapted for sending each of the HTTP request to the HTTP daemon and receiving HTTP responses from the HTTP daemon for each of the HTTP requests (col. 2, lines 59-62, Gupta discloses proxy and web agent layers that have memory caches;).

Regarding claim 2, Gupta teaches the method as recited in claim 1, further comprising:

creating the first stream;

wherein sending the connection identifier and the associated HTTP request data for the one or more HTTP requests from the HTTP clients comprises sending the connection identifier and the associated HTTP request data for the one or more HTTP requests in the first stream (col. 2, lines 39-49; col. 4, lines 32-35, Gupta discloses a server message handler transmitting packed HTTP messages downstream; col. 5, lines 4-5, Gupta discloses packed messages transmitted upstream to the server; col. 6, lines 52-62, col. 7, line 66 – col. 8, line 10).

Regarding claim 4, Gupta teaches the method as recited in claim 2, further comprising:

- creating a second stream from the file system of the web server to the network cache accelerator of the web server;

- obtaining HTTP response data associated with one of the HTTP requests by the file system from the HTTP daemon; and

- sending the HTTP response data and the connection identifier in the second stream from the file system to the network cache accelerator (col. 2, lines 39-49).

Regarding claim 6, Gupta teaches the method as recited in claim 4, wherein creating the second stream is performed in parallel with reading of an HTTP request and preparation of a corresponding HTTP response by the HTTP daemon (col. 2, lines 39-58, Gupta discloses a web agent that transmits and receives packed HTTP

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messages and how the respective client station proxy layer and server web agent exchange HTTP messages between the web browser and web server).

Regarding claim 7, Gupta teaches the method as recited in claim 4, wherein creating the second stream is further performed asynchronously with the reading of the HTTP request and the preparation of the corresponding HTTP response by the HTTP daemon (col. 2, lines 39-58).

Regarding claim 10, Gupta teaches the method as recited in claim 1, further comprising:

instantiating an object;

providing the connection identifier and the associated HTTP request data for the HTTP requests in the object; and

wherein sending the connection identifier and the associated HTTP request data for the HTTP requests comprises sending the object (col. 2, lines 39-49).

Regarding claim 13, Gupta teaches the method as recited in claim 1, further comprising:

receiving a read request at the file system from the HTTP daemon;

sending HTTP request data from the file system to the HTTP daemon in response to the read request (col. 2, lines 39-49).

Regarding claim 15, Gupta teaches the method as recited in claim 13, further comprising:

receiving HTTP response data associated with the HTTP request data at the file system from the HTTP daemon (col. 2, lines 39-49).

Regarding claim 18, Gupta teaches the method as recited in claim 15, further comprising:

storing the HTTP response data such that the HTTP response data is associated with one of the HTTP requests and the associated connection identifier (col. 2, lines 65-67, Gupta discloses that information from the server can be duplicated for storage in the cache).

Regarding claim 19, Gupta teaches the method as recited in claim 15, further comprising:

sending a write command including the connection identifier and the HTTP response data to a data transport module capable of transmitting the HTTP response data to a client (col. 2, lines 39-58).

Regarding claim 20, Gupta teaches the method as recited in claim 15, further comprising:

creating a second stream from the file system to the network cache accelerator;
and

sending the HTTP response data and the connection identifier in the second stream from the file system to the network cache accelerator (col. 2, lines 39-62).

Regarding claim 21, Gupta teaches the method as recited in claim 20, further comprising:

instantiating an object;

providing the HTTP response data and the connection identifier in the object; and

wherein sending the HTTP response data and the connection identifier comprises sending the object to a data transport module of the network cache accelerator for transmission to a client (col. 2, lines 39-49).

Regarding claims 22 and 31, Gupta teaches in a web server, a method of processing a HTTP response including HTTP response data received from a HTTP daemon and a computer readable medium storing thereon computer-readable instructions for processing a HTTP response including HTTP response data received from a HTTP daemon in a web server, comprising:

receiving HTTP response data from the HTTP daemon;

obtaining a connection identifier associated with the HTTP response data (col. 2, lines 39-58);

creating a stream from a file system of the web server to a network cache accelerator of the web server, the network cache accelerator being adapted for communicating with a plurality of HTTP clients corresponding to a plurality of HTTP

requests, the file system being adapted for sending each of the HTTP requests to the HTTP daemon and receiving HTTP responses from the HTTP daemon for each of the HTTP requests (col. 2, lines 59-62, col. 6, lines 52-62, col. 7, line 66 – col. 8, line 10); and

 sending the HTTP response data and the obtained associated connection identifier corresponding to the plurality of HTTP requests for the plurality of HTTP clients in the stream from the file system of the web server to the network cache accelerator of the web server for transmission to a client (col. 2, lines 39-62, col. 5, lines 56-64; HTTP response messages received from a web server; col. 6, lines 52-62, col. 7, line 66 – col. 8, line 10).

 Regarding claim 30, Gupta teaches a web server adapted for sending a HTTP request to a HTTP daemon, comprising:

 a processor (col. 3, lines 14-26, Gupta discloses a web server which inherently would have a processor); and

 a memory, at least one of the processor and the memory being adapted for (col. 2, lines 65-67, col. 3, lines 1-8, Gupta discloses memory cache):

 receiving a HTTP request including HTTP request data;

 associating a connection identifier with the HTTP request;

 repeating the receiving and associating steps for HTTP requests from a plurality of other HTTP clients (col. 2, lines 39-49, col. 5, lines 43-67, col. 6, lines 1-26, col. 6, lines 52-62, col. 7, line 66 – col. 8, line 10);

sending the connection identifier and the associated HTTP request data for the HTTP requests from the HTTP clients in a first stream from a network cache accelerator of the web server to a file system of the web server, the network cache accelerator being adapted for communicating with the HTTP clients; and

storing the HTTP requests with the associated connection identifiers by the file system, the file system being adapted for sending each of the HTTP requests to the HTTP daemon and receiving HTTP responses from the HTTP daemon for each of the HTTP requests (col. 2, lines 59-62).

Regarding claim 33, Gupta teaches a web server adapted for processing a HTTP response including HTTP response data received from a HTTP daemon, comprising:

a processor (col. 2, lines 14-26); and

a memory, at least one of the processor and the memory being adapted for (col. 2, lines 65-67, col. 3, lines 1-8):

receiving HTTP response data from the HTTP daemon;

obtaining a connection identifier associated with the HTTP response data (col. 2, lines 39-58);

creating a stream from a file system of the web server to a network cache accelerator of the web server, the network cache accelerator being adapted for communicating with a plurality of HTTP clients corresponding to a plurality of HTTP requests, the file system being adapted for sending each of the HTTP requests to the HTTP daemon and receiving HTTP responses from the HTTP daemon for each of the

HTTP requests (col. 2, lines 59-62, col. 6, lines 52-62, col. 7, line 66 – col. 8, line 10);
and

sending the HTTP response data and the obtained associated connection identifier corresponding to the plurality of HTTP requests in the stream from the file system of the web server to the network cache accelerator of the web server for transmission to a client (col. 2, lines 39-62, col. 5, lines 56-64, col. 6, lines 52-62, col. 7, line 66 – col. 8, line 10).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14, 16, and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gupta in view of Kawabe et al., U.S. Patent No. 5,968,127.

Gupta teaches the invention as claimed including a mobile-based client-server system (see abstract).

As to claims 14, 16, and 17, Gupta teaches the method of claims 1, 13, and 15.

Gupta fails to teach the limitation further including the use of a file descriptor and a private attachment.

However, Kawabe teaches an information processing apparatus (see abstract). Kawabe teaches the use of a file descriptor as a handle for accessing the, private attachment, resource corresponding to a name (col. 1, lines 23-27).

It would be obvious to one of ordinary skill in the art, at the time the invention to modify Gupta in view of Kawabe to use a file descriptor with a private attachment when sending and receiving HTTP data. One would be motivated to do so because it would result in an efficient method to send and receive data.

Response to Arguments

5. Applicant's arguments filed October 29, 2004 have been fully considered but they are not persuasive. Gupta discloses HTTP requests received from a plurality of HTTP client applications on column 6, lines 52-62 and column 7, line 66 – column 8, line 10.

Conclusion

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Pat. No. 6,138,162 to Pistriotto et al.

U.S. Pat. No. 6,389,462 to Cohen et al.

U.S. Pat. No. 5,951,694 to Choquier et al.

U.S. Pat. No. 6,418,544 to Nesbitt et al.

U.S. Pat. No. 6,131,122 to Sampson

U.S. Pat. No. 6,334,142 to Newton et al.

U.S. Pat. No. 6,377,984 to Najork et al.

U.S. Pat. No. 6,611,873 to Kanehara

U.S. Pat. No. 6,321,181 to Havens

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Avi Gold whose telephone number is 571-272-4002.

The examiner can normally be reached on M-F 8:00-5:30 (1st Friday Off).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Avi Gold

Patent Examiner

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AMG



SALEH NAJJAR
PRIMARY EXAMINER